



## Kennecott Phase 3 Exploration Project

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**Draft Decision Notice  
And  
Finding of No Significant Impact  
For The  
Kennecott Phase 3 Exploration Project  
U.S. Forest Service  
Pintler Ranger District  
Beaverhead-Deerlodge National Forest  
Granite County, Montana**

### DECISION

I have decided to authorize the Kennecott Exploration Company to drill a total of 36 exploration holes over a five-year period. The proposed project is located in T8N, R13W, sections 5, 6 and 7, approximately 1.5 miles northwest of Maxville, Montana. Reclamation will take place upon completion of the project.

The following **design features** will become part of the approved Plan of Operations (POO) to minimize environmental impacts and to be consistent with management direction in the Beaverhead-Deerlodge National Forest (BDNF) Land and Resource Management Plan (Forest Plan):

- A representative, named in writing, shall be readily available to the area of such operations and unless otherwise stipulated, he/she will be authorized to speak for the Operator in all aspects of this operation dealing with the Forest Service and receive notices in regard to performance under this operating plan and to take related action.
- All surface disturbing activities must be supervised by a responsible representative of the operator who is aware of the terms and conditions of the Plan of Operations.
- The Forest Service must be notified of any proposed changes to the approved Plan of Operations. Any changes to the existing approved Plan are subject to Forest Service review and approval.
- Operating Procedures: The Operator shall notify the Forest Service Representative prior to starting operations and likewise before leaving the area.
- Safety: Hazardous sites or conditions resulting from operations shall be marked by signs, fenced or otherwise identified to protect the public in accordance with Federal and State laws and regulations.
- All accidents or mishaps resulting in significant resource damage and/or death or serious personal injury must be reported to the Forest Service as soon as possible.
- Food and attractant storage, possession, and handling will comply with the BDNF Food Storage Order 2014-BD/BITT-009 during all operations.
- Topsoil: Where there is topsoil, the operator shall strip the topsoil (A horizon) from all areas to be disturbed. This topsoil shall be placed in a manner in which it will be protected and readily available for use in reclamation.



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- The placement of the temporary bridge should protect all aquatic species. The structure should be from bank to bank with no part of the bridge or machinery accessing or touching any water. A Forest Service representative will be on site for installation of the bridge and the construction of the temporary roads in the riparian conservation area (RCA) to minimize potential effects and follow Forest Plan standards and objectives.
- If adult toads are found during drilling, they should be moved away from the activities to the extent practicable.
- If cultural resource sites or artifacts are discovered during project implementation, the Forest Service Archeologist and appropriate tribes will be notified immediately.
- Cross-country travel associated with the project will be restricted to the minimum necessary.
- All cross-country travel routes will be restored to pre-existing condition and will be blocked by boulders or vegetative debris.
- Temporary roads will be utilized only for project implementation and will be obliterated at project completion.
- Operator is responsible for immediate repairs of any and all damages to roads, structures, and improvements that result from his operations at his own expense; repairs will be accomplished to Forest Service standards.
- At drill holes 2019\_DD\_Prop001 and Frank\_A\_Approved DD all equipment and supplies necessary to plug an artesian well will be on site prior to the start of drilling operations.
- Reclamation: Commensurate with mining activity or at the earliest possible time during operations, the Operator shall reclaim the surface disturbed in operations by contouring the disturbances to as near pre-existing conditions as possible. The Operator will also take measures that will prevent or control on-site and off-site damage to the environment and forest surface resources, including:
  - Control of erosion and landslides;
  - Control of water runoff;
  - Isolation, removal, or control of toxic materials;
  - Reshaping and revegetation of disturbed areas;
  - Backfilling of excavated trenches, ditches, and holes with excavated material and covering them with topsoil; and
  - Removal of all items necessary or incidental to the operation (equipment, pumps, etc.) from NFS lands at the close of the operating season.
- Revegetation: Revegetation shall consist of successful reintroduction of native grasses. Should analysis by the agencies (FS and/or State) show the need, an approved fertilizer will be added at the start of the growing season.
- Native Seed Mix: If needed, a specified list of native grass seed mixture, prepared by the Forest Service, will be provided to the Operator. The Operator will be responsible for purchasing the seed mixture. A total of 15 pounds of native seed should be applied per acre, if the site is broadcast seeded.
- Seed must be certified noxious weed seed free from the current "Western States Noxious Weeds List." Each lot must be tested by a certified seed laboratory and should be conducted prior to seed mixing. Documentation of test results from a certified seed



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analyst and seed analysis labels attached to the bags should be provided. Seed will not be accepted without documentation in writing of no weeds on the current "Western States Noxious Weeds List" upon delivery.

- Noxious Weeds: In order to prevent the potential spread of noxious weeds into the project area, the Operator shall be required to furnish the Forest Service with proof of weed-free equipment. The Operator must clean all off-road equipment prior to entry on the project area. This cleaning shall remove all dirt and plant parts and material that may carry noxious weed seeds into the project area.
- The Operator agrees to monitor for the introduction of new noxious weeds for three years following exploration. Should infestations become established, the Operator will be responsible for the control of the noxious weeds. The Operator will provide a control plan to the Forest Service for approval that complies with the laws and regulations of the State of Montana and the Noxious Weed Control Program ROD (2002) for the Beaverhead-Deerlodge National Forest.
- Wildlife and Range: Sightings of any threatened, endangered, or sensitive species must be reported to the Forest Service and/or Montana Department of Fish, Wildlife and Parks.
- Resource Protection: Section corners or other survey markers, including claim comers, in the project area must be located and flagged for preservation prior to commencement of surface disturbing activities. The removal, displacement, or disturbance of markers must be approved in advance by a Forest Service licensed land surveyor. Replacement of markers disturbed by the operator's activities will also be by a licensed land surveyor approved by the Forest Service.
- Fuels and oils will be maintained in a properly located site to assure containment of any spills including a catastrophic rupture of the largest tank on site.
- Camping: On-site occupancy may exceed the 16-day camping limit and is authorized with a permit from the Pintler District Office. A self-contained unit will be used for human waste.
- Solid Waste: (1) Operator shall comply with applicable Federal and State Standards for the disposal and treatment of solid wastes. (2) All trash, such as cans, bottles, oil filters, old posts and other debris shall not be left to accumulate on the site and shall be removed from National Forest System (NFS) lands for disposal in a State-approved landfill. (3) All natural tailings, dumpage, deleterious materials, or substances and other waste produced by operations shall be stockpiled where feasible for future rehabilitation work. Where it is not feasible to stockpile it shall be deployed, arranged, disposed of or treated as agreed upon by the Forest Service Representative.
- Prevention and Control of Fires: Operator shall comply with applicable Federal and State fire laws and regulations and shall take all reasonable measures to prevent and suppress fires on the area of operations and shall require his employees, contractors, and subcontractors to do likewise.
- Fire suppression equipment must be available to all personnel on the project site and vehicles traveling to and from the site. Equipment must include a minimum of one hand tool per individual (shovel or pulaski) and one properly rated fire extinguisher per vehicle and/or internal combustion engine.



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- All gasoline and diesel equipment must be equipped with effective spark arresters and mufflers. Spark arresters must meet Forest Service specifications discussed in the USDA Forest Service Spark Arrester Guide. In addition, all electrical equipment must be properly insulated to prevent sparks.
- The operator will be held responsible for damage and suppression costs for fires started as a result of their operations. Fires must be reported to the Forest Service as soon as possible.
- Bonds: Prior to the Forest Service approving this Plan of Operations, the Operator shall deliver and maintain a surety bond in an amount set by the Forest Service; the amount shall not be in excess of the estimated loss which the government would suffer upon default in performance of this work.

### **DECISION RATIONALE**

The underlying purpose and need for my decision is provided by the laws governing locatable mineral activities on NFS lands. These laws provide that the public has a statutory right to conduct prospecting, exploration, and development activities, provided they are reasonably incidental to mining and comply with other federal laws. They also direct the Forest Service to regulate such activities for the purpose of minimizing adverse environmental effects, provided such regulation does not endanger or materially interfere with prospecting, mining or processing operations or reasonably incidental uses. Congress has not given the Forest Service authority to unreasonably circumscribe or prohibit reasonably necessary activities under the 1872 General Mining Law, as amended that is otherwise lawful.

Kennecott's request to drill exploration holes on an unpatented mining claim is within the 1872 General Mining Law. The addition of the 32 design features minimizes potential adverse environmental effects, specifically for weeds, heritage, and soils without interfering with Kennecott's ability to drill exploration holes on an unpatented mining claim.

In weighing and balancing the need to comply with the 1872 General Mining Law, protecting the environment from adverse effects, and complying with management direction in the BDNF Forest Plan, I have decided to approve Kennecott Exploration Company's Plan of Operations.

The Kennecott Phase 3 Exploration Project Environmental Assessment (EA) documents the environmental analysis and conclusions which was used in making my decision.

### **PUBLIC INVOLVEMENT**

This action was originally listed as a proposal on the Beaverhead-Deerlodge National Forest Schedule of Proposed Actions on October 28, 2019 and updated periodically during the analysis. People were invited to review and comment on the proposal through a preliminary/draft EA mailed to 88 interested individuals, organizations, and agencies on October 25, 2019. The information was also posted on the BDNF internet website. A total of four comments were received from one commenter.



### ***CONCERN SUMMARY AND HOW CONCERNS ARE ADDRESSED***

**The commenter was surprised the Forest Service would consider allowing mining exploration in such close proximity to Flint Creek which feeds the headwaters of the Clark Fork. The commenter stated that it is common knowledge that the Clark Fork has suffered greatly at the hands of the mining industry and the State of Montana continues to suffer a hundred years after the fact. Please put this misguided project on the shelf.** The role of the Forest Service is to ensure that mining activities minimize adverse environmental effects on National Forest System resources and comply with all applicable environmental laws. Congress has not given the Forest Service authority to unreasonably circumscribe or prohibit reasonably necessary activities under the 1872 General Mining Law that are otherwise lawful.

**The commenter was concerned with the project's proximity to a designated scenic highway that helps support the historic town of Philipsburg. A mining project of this magnitude would essentially destroy the rural character and tourist value of this area.** The role of the Forest Service is to ensure that mining activities minimize adverse environmental effects on National Forest System resources and comply with all applicable environmental laws. Congress has not given the Forest Service authority to unreasonably circumscribe or prohibit reasonably necessary activities under the 1872 General Mining Law that are otherwise lawful.

**The commenter was also concerned about the area being a part of a trophy mule deer hunting district that deserves protection from this type of encroachment.** Please see the section in the EA entitled, "Environmental Impacts of the Proposed Action." It states "resources for which the effects of the proposed action were determined to not have an effect and do not require additional mitigations, other than those developed in 2017 and 2018, or permit conditions include: archaeology, sensitive plants, wildlife, soils, vegetation and range."

**The commenter also stated to please use some common sense. It appears this is the same company that apparently caused one of the worst mining disasters/landslides in history not long ago in Utah.** The role of the Forest Service is to ensure that mining activities minimize adverse environmental effects on National Forest System resources and comply with all applicable environmental laws. Congress has not given the Forest Service authority to unreasonably circumscribe or prohibit reasonably necessary activities under the 1872 General Mining Law that are otherwise lawful.

### **FINDING OF NO SIGNIFICANT IMPACT**

The Finding of No Significant Impact (FONSI) and EA were considered in my decision process. I determined the actions outlined in the Proposed Action will not have a significant effect on the quality of the human environment, and an Environmental Impact Statement (EIS) will not be prepared.

I considered the significance of the environmental impacts in terms of context and intensity. The following is a summary of the project analysis used in determining significance, as defined by Forest Service Handbook 1909.15. "Significant" as used in NEPA requires consideration of both context and intensity of the expected project effects.



### CONTEXT

I considered the significance of the actions in several contexts such as society as a whole (human and national), the affected region, the affected interests, and the locality. This is a site-specific action; therefore I considered the significance based upon the effects in the locale rather than in the world as a whole. Both the short and long-term effects are also relevant (40 CFR 1508.27).

The project activities would affect only the immediate area where the access roads and drilling are proposed. After 5 years the roads, drilling pads, and area will be rehabilitated. A new or amended POO will need to be submitted for approval to continue mining activities beyond 5 years.

Based on this, I believe the effects of this project will be localized, and will not contribute to significant environmental effects beyond the project area.

### INTENSITY

Intensity refers to the severity of the expected project impacts. The intensity of effects was considered in terms of the following:

**1) Impacts may be both beneficial and adverse.** A significant effect may exist even if the Federal agency believes that, on balance, the effect will be beneficial. I considered beneficial and adverse impacts associated with the activities presented in the Kennecott Phase 3 Exploration EA. These impacts are within the range of effects identified in the Forest Plan. I conclude that the specific direct, indirect, and cumulative effects are not significant, and this action does not rely on beneficial effects to balance adverse environmental effects.

### EFFECTS

The project design features effectively eliminated or reduced to negligible most of the potential impacts; therefore, implementation of the proposed activities will result in no **significant impact** to the following resources/species: Heritage, Hydrology, and Soils.

There will be **no effects** from this project to Threatened or Endangered Species. The Proposed Action is anticipated to result in **not likely to adversely affect the threatened grizzly bear and Canada lynx or their habitat**. Concurrence was received from US Fish and Wildlife Service on April 23, 2018.

There will be no significant indirect or cumulative effects from this project to Sensitive Species. **It may impact individuals or habitat but would not contribute to a trend towards federal listing or loss of viability to the population or species** of Townsend's big eared bat.

There will be no jeopardy to the wolverine.

The project was reviewed by the District Fisheries Biologist who determined the Proposed Action **may impact individuals or habitat of the boreal toad but will not likely contribute to a trend toward federal listing or cause a loss of viability to the population or the species** for the Sensitive Western toad.





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This proposed project will have No Impact for all other sensitive aquatic, terrestrial, or plant species.

### ***Beneficial Effects***

Noxious weeds will be treated where found in the project area in accordance with the 2002 Beaverhead-Deerlodge National Forest Noxious Weed Control Decision, thus helping to minimize the spread of noxious weeds.

### ***Potential Adverse Effects***

Based on the analysis and compliance with the Programmatic Biological Assessment for Activities That Are Not Likely To Adversely Affect Listed Terrestrial Species (USDI Fish and Wildlife Service, 2013d) and the letter of concurrence dated April 23, 2018 (USDI Fish and Wildlife Service, 2013c), the project as proposed is “Not Likely to Adversely Affect (NLAA)” the grizzly bear.

Based on the above analysis, the project as proposed will not jeopardize wolverines. My determination is based on the following rationale, consistent with the findings of the proposed rule. The proposed rule states:

*“Little scientific or commercial information exists regarding effects to wolverines from development or human disturbances associated with them. What little information does exist suggests that wolverines can adjust to moderate habitat modification, infrastructure development, and human disturbance. In addition, large amounts of wolverine habitat are protected from human disturbances and development, either legally through wilderness and National Park designation, or by being located at remote and high-elevation sites. Therefore, wolverines are afforded a relatively high degree of protection from the effects of human activities by the nature of their habitat. Wolverines are known to successfully disperse long distances between habitats through human dominated landscapes and across transportation corridors. The current level of residential, industrial, and transportation development in the western United States does not appear to have precluded the long-distance dispersal movements that wolverines require for maintenance of genetic diversity. We do not have information to suggest that future levels of residential, industrial and transportation development would be a significant conservation concern for the DPS.*

*The available scientific and commercial information does not indicate that other potential stressors such as land management, recreation, infrastructure development, and transportation corridors pose a threat to the DPS” (USDI Fish and Wildlife Service, 2013a).*

**2) The degree to which the proposed action affects public health or safety.** It is my determination that the proposed activities will have no significant effects on public health and safety. The type of management actions being implemented will minimize any potential impacts to public health and safety. There are no municipal watersheds in the project area.

**3) Unique characteristics of the geographic area, such as proximity to historic or cultural resources, park lands, prime farmlands, wetlands, wild and scenic rivers, or ecologically critical areas.** There will be no significant effects on unique characteristics of the area, because



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there are no historic or cultural resources, park lands, prime farmlands, wild and scenic rivers or ecologically critical areas within the project area.

**4) The degree to which the effects on the quality of the human environment are likely to be highly controversial.** The effects on the quality of the human environment are not likely to be highly controversial. There is no known credible scientific controversy over the impacts of the proposed action.

**5) The degree to which the possible effects on the human environment are highly uncertain or involve unique or unknown risks.** The Agency has considerable experience with actions like the one proposed. The analysis shows the effects are not uncertain, and do not involve unique or unknown risk.

**6) The degree to which the action may establish a precedent for future actions with significant effects, or represents a decision in principle about a future consideration.** The action is not likely to establish a precedent for future actions with significant effects, because this action does not have significant effects and does not represent a decision in principle about a future consideration.

**7) Whether the action is related to other actions with individually insignificant but cumulatively significant impacts.** In my review of the EA and supporting documentation, I find No significant negative environmental impacts will occur due to my decision to implement the Plan of Operations because of the design features and mitigation measures.

**8) The degree to which the action may adversely affect districts, sites, highways, structures, or objects listed, or eligible for listing, in the National Register of Historic Places or may cause loss or destruction of significant scientific, cultural, or historical resources.** The action will have no significant adverse effect on districts, sites, highways, structures, or objects listed in or eligible for listing in the National Register of Historic Places, because there are none in the project area. The action will also not cause loss or destruction of significant scientific, cultural, or historical resources because there are none in the project area.

**9) The degree to which the action may adversely affect an endangered or threatened species or its habitat that has been determined to be critical under the Endangered Species Act of 1973.** The action will not adversely affect any endangered species or its habitat that has been determined to be critical under the Endangered Species Act of 1973, because there are none in the project area. The only threatened species, the Grizzly Bear, in the project area would not be directly affected by the access road or drilling sites as they are not tied to the habitat type in the project area. The project as proposed would "Not Likely to Adversely Affect" grizzly bears.

**10) Whether the action threatens to violate Federal, State, or local law or requirements imposed for the protection of the environment.** The action will not violate Federal, State, and local laws or requirements for the protection of the environment. Applicable laws and regulations were considered in the EA, pg. 5 and Specialist Reports. The action is consistent with the Beaverhead-Deerlodge Land and Resource Management Plan.





## **FINDINGS REQUIRED BY OTHER LAWS AND REGULATIONS**

This decision is consistent with the Beaverhead-Deerlodge National Forest Land and Resource Management Plan (Forest Plan). The project was designed in conformance with the applicable Forest Plan Goals, Objectives, and Standards for Minerals, Soils, Sensitive Plans, Hydrology, Heritage, Aquatics, and Wildlife resources relevant to this projects action.

To the best of my knowledge, this decision is in compliance with all applicable laws, regulations, and policies. See discussions below.

### **National Environmental Policy Act (NEPA)**

NEPA provisions and all regulations for implementation of NEPA (as required under 40 CFR 1500) have been followed in the development of the Environmental Assessment and Decision Notice. Expected impacts of this project are disclosed in the Updated Environmental Assessment. The Decision Notice for this project describes the rational for the decision I have made. Thus, with the implementation of these actions, this project is in compliance with NEPA.

### **National Forest Management Act (NFMA)**

The project does not require any Forest Plan amendments. Project activities are consistent with the NFMA and the Beaverhead-Deerlodge National Forest Land Management Plan (16 USC 1604 (i)) and will provide for diversity of plant and animal communities based on the suitability and capability of the specific land area in order to meet overall multiple-use objective (16 USC 1604 (g)(3)(B)). The Kennecott Phase 3 Exploration Project Record documents the projects consistency with the Forest Plan.

### **Best Available Science**

I am confident the analysis of this project was conducted using the best available science. My conclusion is based on the record that shows my staff conducted a thorough review of relevant scientific information, considered responsible opposing views, and acknowledged incomplete or unavailable information, scientific uncertainty, and risk.

### **Clean Water Act and State Water Quality Standards**

Implementation of this project will be consistent with the Clean Water Act and State Water Quality standards through the implementation of the Mitigation Measures and Design Features outlined in the EA Appendix A.

### **Endangered Species Act**

See the Findings section of this document, for a summary of the effects of this project to Endangered, Threatened, or Candidate Species for the BDNF (list dated February 22, 2018). The summary is based on more thorough analyses available in the project record. This project is consistent with the requirements of the Endangered Species Act.

### **Migratory Bird Treaty Act**

Executive Order 13186, signed by President Clinton in 2001, outlines responsibilities of federal agencies to protect migratory birds. Upon review of the effects, regarding migratory birds, I find



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that this project will not adversely affect migratory land bird populations or their habitats. The project is consistent with the Act because it maintains a diversity of habitat conditions because the project is not within RCA's.

### **Environmental Justice and Civil Rights**

Executive Order 12898, issued in 1994 ordered Federal Agencies to identify and address any adverse human health and environmental effects of agency programs that disproportionately impact minority or low-income populations. The Order also directs agencies to consider patterns of subsistence hunting and fishing when an agency action may affect fish or wildlife. The project will not alter opportunities for subsistence hunting and fishing by Native American tribes. Tribes holding treating rights for hunting and fishing on the Beaverhead-Deerlodge National Forest are included on the project mailing list, and have had the opportunity to provide comments on this project. Based on public involvement and analysis this decision is not expected to adversely impact minority or low-income populations.

### **National Historic Preservation Act, Archaeological Resources Protection Act**

No significant heritage or cultural resource values (i.e., sites eligible for listing on the National Register of Historic Places or TCP's) were identified during the Cultural Resources Class I overview of existing information on file. Implementation of the proposed project will not result in direct impacts to heritage or cultural resource values. A compliance report for the project has been submitted to the Montana State Historic Preservation Office for concurrence regarding "no effects on significant cultural resource values".

### **Executive Order 11988**

Executive Order 11988, Floodplain Management (SSW-5) directs that each agency shall provide leadership and shall take action to reduce the risk of flood loss, to minimize the impacts of floods on human safety, health, and welfare, and to restore and preserve the natural and beneficial values served by floodplains in carrying out its responsibilities for:

- Acquiring, managing, and disposing of Federal lands and facilities;
- Providing federally undertaken, financed, or assisted construction and improvements;
- Conducting federal activities and programs affecting land use, including but not limited to water and related land resources planning, regulating, and licensing activities.

This project meets this order as no actions are proposed in any RCA's or floodplains.

### **Executive Order 11990**

The Protection of Wetlands Order 11990 (SSW-6) directs agency to provide leadership and take action to minimize the destruction, loss, or degradation of wetlands, and to preserve and enhance the natural and beneficial values of wetlands in carrying out the agencies responsibilities for:

- Acquiring, managing, and disposing of Federal lands and facilities;
- Providing federally undertaken, financed, or assisted construction and improvements;



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Conducting Federal activities and programs affecting land use, including but not limited to water and related land resources planning, regulating, and licensing activities.

This project meets this order as no actions are proposed in any or around any wetlands.

### **Administrative Review and Objection Rights**

The Kennecott Phase 3 Exploration Project activities included in this decision are subject to the objection process pursuant to 36 CFR 218, subparts A and B.

Objections will only be accepted from those who have previously submitted specific written comments regarding the proposed project during Preliminary Review of Effects comment period or other designated opportunity for public comment in accordance with §218.5(a). Issues raised in objections must be based on previously submitted timely, specific written comments regarding the proposed project unless based on new information arising after the designated comment opportunities.

Objections, including attachments, must be filed via mail, express delivery, or messenger service: (to Objection Reviewing Officer, USDA Forest Service, Northern Region, 26 Fort Missoula Road, Missoula, MT 59804); FAX to (406) 329-3411; email to [appeals-northern-regional-office@fs.fed.us](mailto:appeals-northern-regional-office@fs.fed.us); or by hand-delivery (Monday through Friday, 8:00 a.m. to 4:30 p.m., excluding holidays) to the same address.

Objections must be submitted within 45 calendar days following the publication of this notice in the Montana Standard, Butte Montana. The publication date in the Montana Standard is the exclusive means for calculating the time to file an objection. Those wishing to object should not rely upon dates or timeframe information provided by any other source. The regulations prohibit extending the time to file an objection.

The objection must contain the minimum content requirements specified in §218.8(d), and incorporation of documents by reference is permitted only as provided in §218.8(b). It is the objector's responsibility to ensure timely filing of a written objection with the reviewing officer pursuant to §218.9. All objections are available for public inspection during and after the objection process.

At a minimum an objection must include the following (§218.8(d)):

- 1) The objector's name and address, with a telephone number, if available;
- 2) A signature or other verification of authorship upon request (a scanned signature for Email may be filed with the objection);
- 3) When multiple names are listed on an objection, identification of the lead objector (verification of the identity of the lead objector shall be provided upon request);
- 4) The name of the proposed project, the name and title of the Responsible Official, and the name(s) of the National Forest(s) and/or Ranger District(s) on which the proposed project will be implemented;
- 5) A description of those aspects of the proposed project addressed by the objection, including specific issues related to the proposed project; if applicable, how the objector



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believes the environmental analysis or draft decision specifically violates law, regulation, or policy; suggested remedies that would resolve the objection; supporting reasons for the reviewing officer to consider;

- 6) A statement that demonstrates connection between prior specific written comments on the particular proposed project or activity and the content of the objection, unless the objection concerns an issue that arose after the designated opportunities for comment.

If objections are filed, the responsible official may not issue a decision document approving the project until the reviewing officer has responded in writing to all objections. The project may be implemented immediately after the decision is signed.

### Implementation

If no objections are filed within the 45-day filing period, approval of the proposed project in a decision document may occur on, but not before, the fifth business day following the end of the objection filing period. Implementation can begin immediately after the decision is signed.

Further information about this decision can be obtained from Cameron Rasor, District Ranger by calling 406-859-3211, or Steve Kelley, Project Leader, by calling 406-494-0222 or email [steve.l.kelley@usda.gov](mailto:steve.l.kelley@usda.gov)

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